

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA
CEDAR RAPIDS DIVISION

LISA E. UPAH,

Plaintiff,

vs.

MERCY MEDICAL CENTER,

Defendant.

Case No. 1:18-cv-18-00063

DEFENDANT'S MOTION FOR
SUMMARY JUDGMENT

Defendant Mercy Medical Center, pursuant to Local Rule 56(a), moves for summary judgment, and in support thereof states:

1. On May 8, 2018, Plaintiff filed an Amended Petition¹ asserting the following claims: (1) disability discrimination in violation of Iowa Code Chapter 216; (2) wrongful discharge in violation of public policy; and (3) violation of the Fair Labor Standards Act.

2. Defendant is entitled to summary judgment on all of Plaintiff's claims because she fails to generate a genuine issue of material fact as to any of her claims.

3. Defendant incorporates its Statement of Material Undisputed Facts, and Brief in Support of Motion for Summary Judgment.

WHEREFORE, Defendant requests the court enter judgment in its favor and against Plaintiff.

¹ Plaintiff's Motion for Leave to Amend Petition, and Amended Petition, were filed in the Iowa District Court for Linn County. On June 20, 2018, Defendant filed a Notice of Removal to federal court.

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By _____

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ATTORNEY FOR DEFENDANT

CERTIFICATE OF SERVICE

I hereby certify that on December 31, 2018, I filed the foregoing with the Clerk of Court using the ECF system and sent a true and correct copy by e-mail and/or United States Mail, postage prepaid to the following:

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ATTORNEY FOR PLAINTIFF

/s/ Thomas D. Wolle